

EXHIBIT 1

November 17, 2020

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- STUART VARDAMAN -

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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ULKU ROWE,

Plaintiff,

Case No.
19 Civ. 08655 (LGS) (GWG)

v.

GOOGLE LLC

Defendant.

----- X

DATE: November 17, 2020

TIME: 9:37 a.m.

VIDEOTAPED VIDEOCONFERENCE DEPOSITION
OF STUART VARDAMAN, held via Zoom, pursuant to ^
Notice, before Hope Menaker, a Shorthand Reporter
and Notary Public of the State of New York.

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2 A. Yes.

3 Q. What was the policy?

4 A. I would say with the previous example
5 and any others of that ilk, that policy would be
6 that a position should be posted.

7 Q. And with respect to internal posting,
8 where would those positions be posted?

9 A. Typically on GRO. There's an
10 Intranet site called GRO.

11 Q. Once you had landed a group of
12 qualified individuals, what was the process for
13 interviewing those individuals?

14 A. Typically, and the way I like to
15 work, is to vet our teams's understanding with our
16 hiring manager. In this case, we set up
17 conversations between candidates and Tariq.

18 Q. So do I understand you to be saying
19 that the first step would be for Tariq to meet
20 with a candidate?

21 A. No, the first step was understanding
22 the business need.

23 Q. Now, in the interview process once a
24 group of qualified candidates were identified,
25 what would be the next step?

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2 are assuming you would have.

3 A. I'm assuming that I would have.

4 Q. Do you recall anything else with
5 respect to the conversation you had with Mr.
6 Shaukat regarding her entering the process?

7 A. The conversations specifically, no.
8 Again, he asked to include her in the process and
9 we made that happen.

10 Q. Did you understand her to have raised
11 her hand to be considered for the position?

12 A. I don't recall --

13 MR. GAGE: Objection.

14 A. I don't recall if she had applied.

15 Q. Do you recall being interviewed by
16 employee relations in connection with Ms. Rowe?

17 A. Whether or not I knew on the outset
18 it had to do with Ulku I can't say for sure, but I
19 think the content of that conversation centered
20 there or as a topic. So, yeah, I do recall
21 speaking with employee relations.

22 Q. Did you actually get interviewed on
23 two occasions by employee relations?

24 A. It's possible.

25 Q. Do you recall telling employee

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2 MR. GAGE: I see it now.

3 Q. We're going to mark as Exhibit 106,
4 document Bates stamped GOOG-ROWE-00017507 through
5 508.

6 (Whereupon, Exhibit 106 was marked at
7 this time.)

8 Q. Do you recognize this document, Mr.
9 Vardaman?

10 A. I do.

11 Q. Okay, and is this an e-mail that you
12 sent out in advance of Ms. Rowe's interview?

13 A. Yes, it looks like I sent it to Jason
14 Martin.

15 Q. Okay. I would like you to look at
16 the context in "Competencies" bullet, in
17 particular the bullet context. Do you see that?

18 A. I do.

19 Q. It says "Ulku was on Brian Stevens'
20 team before the reorg occurred that resulted in
21 some of the vertical OCTO folks transitioning to
22 Tariq's organization. Tariq agreed to have her
23 interviewed for the lead position. Brian Stevens
24 is supportive of her interviewing for the lead
25 role." Do you see that?

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2 A. I do.

3 Q. Does that refresh your recollection
4 about whether Mr. Stevens was supportive of her
5 interviewing for the role?

6 A. Honestly, that would have been a
7 conclusion that I reached given -- given Eryka's
8 e-mail, the previous exhibit.

9 Q. At any point in time, did anyone tell
10 you that Mr. Stevens was not supportive of her for
11 the role?

12 A. No.

13 Q. Did you discuss that with Mr.
14 Shaukat?

15 A. Discuss what?

16 MR. GAGE: Objection.

17 Q. Whether Mr. Stevens was supportive of
18 her for the role.

19 A. No, that would have been a
20 conversation between VPs.

21 If, you know, I can shed a little bit
22 more light about my intent in these, messages like
23 these for candidates both in Goog -- in internal
24 and external, it's a -- it's an attempt to help
25 the candidates put their best foot forward so that

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2 a panel member could read some of this and say
3 okay, I am -- I am interested in meeting this
4 candidate and -- and so there -- there's some
5 content in there to -- to help, in this case, Ulku
6 put her best foot forward.

7 Q. Who made the decision about who Mr.
8 Rowe's interview panel would be?

9 MR. GAGE: Objection.

10 A. That would have been a conversation
11 likely during one of our meetings between Tariq
12 and Fiona O'Donnell at the time. It would have
13 been a -- Tariq's business partner -- HR business
14 partner, excuse me, and me.

15 And, if -- if I can, the -- the
16 reason that that's a discussion is because we want
17 panel members, A, to be objective, but then, B,
18 representative of relationships that a given
19 candidate might be expected to work with closely
20 for the benefit of our -- of our customers.

21 Q. What did you discuss with respect to
22 who would be the panel members for Ms. Rowe's
23 interview?

24 A. I don't recall specifics. As -- as I
25 had mentioned in an earlier exhibit, Brian

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2 had -- had stepped back from the panel interviews
3 and -- and so we ultimately landed at the
4 panelists that were -- that are listed in -- in
5 GHire, I guess.

6 Q. Looking again at Exhibit 106 under
7 "Impression," the bullet "Impression."

8 You write "Executive poise confident,
9 but not ego driven, forthright with a quick
10 operating cadence." Do you see that?

11 A. Yes, I do.

12 Q. What was that impression based on?

13 A. That would have been my meeting with
14 her, the -- the one that I had mentioned was
15 probably around 45 minutes. Again, this is my
16 attempt in my job to help ensure that candidates
17 are -- are putting their best foot forward with
18 the information that -- that I tee up panel
19 members for. I -- yeah.

20 Q. You've only been giving accurate
21 information as part of these e-mails, correct?

22 A. Yes, for the benefit of the
23 candidate. I can tell you that my personal
24 impression in my conversation was -- was that I
25 was talked down to that I felt as -- as a result

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2 of my level.

3 Q. What made you feel like you were
4 talked down to?

5 A. There was a perceptible, perceivable
6 annoyance I think with the -- the conversation
7 that -- that she had with me.

8 Q. And tell me about that.

9 A. I felt dismissed at the end of the
10 day as a result of my conversation with -- with
11 Ulku.

12 Q. What did she say that made you feel
13 dismissed?

14 A. I don't recall specifics.

15 Q. What made you say -- what did she say
16 that made you perceive that she was annoyed?

17 MR. GAGE: Objection.

18 A. It would have been a combination of
19 her -- I -- I think of her demeanor and her -- her
20 word choice in that meeting with me, but again the
21 specifics I -- I don't recall exactly.

22 Q. What about her demeanor?

23 MR. GAGE: Objection.

24 A. Again, the conclusion I felt as a
25 result of interacting with her was that I felt

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2 dismissed and -- and talked down to I -- I guess
3 by the fact I was having and requesting a meeting
4 with her to -- to shed light on the process.

5 I think it's important to note that
6 none of that came out here in this note to Jason
7 in advance of the interview prep, hence going back
8 to what I said earlier about ensuring that the
9 candidates are being presented the best possible
10 light.

11 Q. I understand how you felt leaving
12 that meeting. Now I want you to explain to me
13 what she did or what she said that led you to feel
14 that way.

15 MR. GAGE: Objection. Asked and
16 answered.

17 A. Again I -- I can't recall the
18 specifics, ma'am. There is an aspect of being
19 successful at Google, which is this notion of
20 Googleyness, and part of that is encapsulated
21 with openly and actively working across the
22 organization regardless of level, sometimes L 2s.
23 And, again, my impression/feeling after my
24 conversation with Ulku was that I was dismissed
25 and be -- because of level.

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2 Q. So is it your testimony that she was
3 not rejected for the role?

4 MR. GAGE: Objection.

5 A. As I recall, Tariq was going to
6 circle back with her and let her know where things
7 landed with Thomas Kurian joining and -- and
8 ultimately the cancelation.

9 Q. So, again, is it your testimony that
10 she was not suggested for the role, that the role
11 closed before there had been a determination with
12 respect to Ms. Rowe; is that your testimony?

13 A. Correct --

14 MR. GAGE: Objection.

15 A. -- the role closed.

16 Q. Did Mr. Shaukat tell you that he had
17 received a communication from Ms. Rowe saying that
18 she thought she was more qualified than the two
19 finalists?

20 A. No.

21 Q. Did Mr. Shaukat tell you that she had
22 told him that she thought he should just give her
23 the role?

24 A. No, I don't recall that.

25 Q. Did Mr. Shaukat tell you that she had

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2 raised a concern about discrimination?

3 A. No, ma'am.

4 Q. Did he tell you that she had raised a
5 concern about her levelling?

6 A. No.

7 Q. Did he tell you that she had raised
8 a concern that her initial leveling was
9 under-leveled and that was impacting her
10 consideration for the VP position?

11 A. For the lead financial services
12 position, no, not that I recall. Tariq typically
13 didn't share such -- such things, even if he would
14 have insight into them.

15 Q. Did Mr. Shaukat tell you that ER was
16 looking into concerns that Ms. Rowe had raised?

17 A. Not that I recall, no.

18 Q. Did Mr. Shaukat tell you that he was
19 concerned that she might leave Google?

20 A. Not that I recall, no.

21 Q. Did you form your own opinion about
22 Ms. Rowe as a candidate for the VP of financial
23 services position?

24 MR. GAGE: Objection.

25 A. My opinion, given she was a Googler,

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2 largely didn't come into play. As I had mentioned
3 earlier, the process we ran with her would have
4 been similar to any other Googler that we were
5 told that they were going to process.

6 Q. My question is: Did you form a
7 personal opinion about her?

8 MR. GAGE: Objection.

9 A. My job is not to form a personal
10 opinion.

11 Q. Whether it's your job or not, did you
12 form a personal opinion about her?

13 A. I think, as I already stated, it's
14 not my job to -- to form those opinions; and as I
15 think you saw from the prep notes to Jason Martin,
16 not to let my personal matters or personal
17 conclusions, if I had any, impact how the
18 candidate shows up to the panel.

19 Q. Did you think she was a bit abrasive?

20 A. I recall my interaction with Ulku as
21 stated previously, that I felt largely dismissed
22 in my conversation with her.

23 Q. Did you tell ER that she struck you
24 as a bit abrasive?

25 A. I don't recall specifically on that.

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2 Q. Let's look back at -- give me just a
3 moment -- 51. Exhibit 51 and I would like you to
4 turn to Page 17.

5 A. Okay.

6 Q. And if I can draw your attention to
7 about halfway down under the major bullet, "With
8 Exception of Ulku."

9 A. Yes.

10 Q. Do you recall communicating, "Ulku by
11 the time I connected with her struck me as a bit
12 abrasive"? Do you recall communicating that to
13 ER?

14 A. I don't recall communicating that
15 explicitly to HR. Now, if that's how -- or excuse
16 me ER. If that's how they took down notes I can't
17 speak to that, but I would have tried to keep my
18 impression with what -- consistent with what I
19 shared with you earlier, that I felt largely
20 dismissed as a result of -- of the conversations.

21 Q. Did you communicate, in sum or
22 substance, to anyone else that you thought she was
23 a bit abrasive?

24 A. No.

25 Q. Did you think she had a cantankerous

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2 style?

3 MR. GAGE: Objection.

4 A. No. Again, I felt dismissed and
5 talked down to. I -- honestly, I'd have to look
6 up cantankerous real quick.

7 Q. Did you believe her to have a
8 cantankerous style?

9 A. No. Again, I felt dismissed and
10 talked down to.

11 Q. I would like you to look at Page 13
12 of that exhibit and where the bullet is. So you
13 were involved in Stuart's recruitment and the
14 second to the last semi-bullet under that;
15 "Coupled with Ulku's cantankerous style further
16 undermines her changes." Did you communicate that
17 to ER?

18 MR. GAGE: Objection.

19 A. No, not that I recall.

20 Q. Do you recall communicating to anyone
21 else that she had a cantankerous style?

22 A. No.

23 Q. Did you think Ms. Rowe was not
24 Googlely?

25 A. As I mentioned earlier, the ability

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2 refreshing.

3 It's Exhibit 112, Tab 58. Let me
4 know when you have it open.

5 A. I do.

6 Q. We're marking as Exhibit 112, the
7 document Bates stamped GOOG-ROWE-00056272 through
8 273.

9 (Whereupon, Exhibit 112 was marked at
10 this time.)

11 Q. Do you recognize this as information
12 generated from the Thrive system with respect to
13 Ms. Rowe?

14 A. Yes, it looks like a Thrive output
15 report.

16 Q. And, particularly, a Thrive output
17 report regarding Ms. Rowe?

18 A. Oh. Yes, I see her name on it.

19 Q. Okay. If you can turn to the second
20 page and scroll down to the entry for "Financial
21 Services Vertical Lead," do you see that?

22 A. I do.

23 Q. The fourth bullet says "Moved to
24 Rejected by swardaman@ -- ". Is that you?

25 A. That is, yes.

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2 Q. "Due to 'Panel - Googleyness.'" Do
3 you see that?

4 A. I do.

5 Q. Did you enter into Thrive that she
6 had been rejected due to "Panel - Googleyness"?

7 A. There's a number of drop-down items
8 and, yeah.

9 Q. And did you make that entry on or
10 about January 7th, 2019?

11 A. Most likely, yeah.

12 Q. Did someone instruct you to close
13 that out?

14 A. That may have been a cleanup as a
15 result of the -- the Thrive system and increasing
16 in its important as our primary tool within
17 executive recruiting and reconciling older
18 searches that may have existed primarily in GHire
19 or -- or whatever; so, yeah, it's -- it's likely
20 that I put that note in.

21 Q. And was it inaccurate when you
22 indicated that she had been rejected?

23 A. No, cause the search was canceled.

24 Q. So was it accurate that she had been
25 rejected for the role?

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2 A. As a result of the role no longer
3 being in existence, by default I think a candidate
4 would be rejected in the system.

5 Q. You wrote here or you wrote as a
6 note; "Across the board, Ulku was viewed as overly
7 self-oriented. Recruiter expressed she was not
8 qualified for the role in addition to ego
9 concerns, the decision was made to run her through
10 full panel anyway." Do you recall writing that?

11 A. No.

12 Q. What was the basis for those
13 statements that she was viewed as overly
14 self-oriented?

15 MR. GAGE: Objection.

16 A. I -- I already said I didn't recall
17 writing it.

18 Q. That note, would that be accessible
19 in the future to other people who looked up Ms.
20 Rowe's Thrive entry?

21 A. Yes.

22 Q. You can put that document aside.

23 Were you involved in recruiting
24 Stuart Breslow at Google?

25 A. Yes, I was.

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2 Ms. Rowe?

3 A. That we were looking for someone at a
4 VP level scope and scale and with actual C-level
5 executive contacts and that we would keep her in
6 mind for future build-outs in -- in this
7 organization focused on financial services.

8 Q. And so does that mean that she was
9 not considered for the role?

10 MR. GAGE: Objection.

11 A. To my knowledge, she didn't apply.
12 So we just felt it's the right thing to do, to
13 circle her back.

14 Q. Was there -- ordinarily for an
15 internal role like this, would someone have to
16 fill out an applications?

17 A. That's the way we -- we typically try
18 to do it.

19 Q. Did you tell Ms. Rowe that she needed
20 to fill out an application?

21 A. I don't recall.

22 Q. Did you provide her with an
23 application?

24 A. No, that's -- everyone at Google
25 knows about the GRO website.

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2 A. That was the thrust of the
3 conversation and tying back to the appropriate
4 next steps on the search, an appropriate next step
5 in this case was winding down the process for Ulku
6 and keeping her in mind for future executive
7 positions within the financial services
8 organization.

9 Q. What was the basis for your
10 determination that she was not qualified for a
11 position that was at the VP level?

12 A. It --

13 MR. GAGE: Objection.

14 A. It was largely emphasized by who
15 ultimately the -- the candidates that we had in
16 play and ultimately who landed in the role which
17 is Yolanda Piazza, which as a -- as a data point
18 was listed as one of American Bankers' most
19 powerful women in -- in 2019, I believe.

20 Q. At this moment when you communicated
21 this to Ms. Rowe, what was your basis for
22 determining that she was not qualified to be
23 considered for a VP level role?

24 MR. GAGE: Objection.

25 A. That would have been largely driven